United Nations A/73/371

General Assembly

Distr.: General
7 September 2018

Original: English

Seventy-third session
Item 72 (b) of the provisional agenda*
Elimination of racism, racial discrimination, xenophobia and related intolerance: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

A global call for action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Report of the Secretary-General**

Summary

The present report is submitted pursuant to General Assembly resolution 72/157, in which the Assembly requested the Secretary-General to submit at its seventy-third session a report on the implementation of that resolution.

* A/73/150.

** The present report is submitted late owing to a delayed clearance beyond the control of the Office of the United Nations High Commissioner for Human Rights.

18-14879 (E) 170918

Please recycle

I. Introduction

1. In its resolution 72/157, the General Assembly recognized that millions of people continued to be victims of racism, racial discrimination, xenophobia and related intolerance, including their contemporary manifestations, some of which manifest in violent forms. The Assembly reiterated that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies. It further stressed that any doctrine of racial superiority, together with theories that attempt to determine the existence of separate human races, is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected. The Assembly acknowledged the efforts and initiatives undertaken by States to prohibit discrimination and segregation and to engender the full enjoyment of civil, cultural, economic, political and social rights.

2. In the same resolution, the General Assembly welcomed the efforts made by civil society in support of the follow-up mechanisms in the implementation of the Durban Declaration and Programme of Action. The Assembly also underlined the need to promote tolerance and respect for diversity and the need to seek common ground among and within civilizations in order to address common challenges to humanity that threaten shared values, universal human rights and the fight against racism, racial discrimination, xenophobia and related intolerance, through cooperation, partnership and inclusion. It raised concerns about the spread in many parts of the world of various racist extremist movements based on ideologies that seek to promote populist, nationalist, right-wing agendas and racial superiority, and stressed that those practices fuel racism, racial discrimination, xenophobia and related intolerance. The Assembly requested that the Secretary-General submit a report on the implementation of resolution 72/157 at its seventy-third session.

3. In preparing the present report, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sought contributions from Member States and other stakeholders, as requested in resolution 72/157. Submissions were received from 14 States: Azerbaijan, Brazil, Cuba, Guatemala, Iraq, Ireland, Italy, Kuwait, Mexico, Portugal, the Republic of Moldova, Turkey, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Contributions were also received from the Institute for NGO Research and the Kha-Nu National Community (formerly known as Africans in America for Restitution and Repatriation). The submissions are posted on the OHCHR website under the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action (www.ohchr.org/EN/Issues/Racism/IntergovWG/Pages/IWGIndex.aspx). The present report follows previous annual reports on the same subject. It summarizes the submissions received, provides information on activities undertaken by OHCHR and provides conclusions and recommendations on that basis.

II. Legislative and administrative frameworks

Legislative developments

4. As outlined in paragraph 58 of the Durban Programme of Action, States are urged to adopt and implement, at both the national and international levels, effective measures and policies, in addition to existing anti-discrimination national legislation and relevant international instruments and mechanisms, which encourage all citizens and institutions to take a stand against racism, racial discrimination, xenophobia and related intolerance.

5. In their submissions for the present report, States shared examples of their existing national legal frameworks to counter discrimination. For instance, Iraq referred to article 2 of its labour law (No. 37/2015), which guarantees adequate employment to all without any discrimination. Article 4 of that law stipulates that work is a right for every capable citizen and that the State shall ensure that recruitment is carried out on the basis of equal opportunities without any form of discrimination. Article 6, paragraph 4, refers to the elimination of discrimination in recruitment and occupation, and article 8, paragraph 1, refers to the prohibition of any transgression or violation of the principles of equal opportunities and equality in treatment, particularly discrimination between workers, whether direct or indirect, in matters relating to vocational training, employment and working conditions. Article 11, paragraph 2, provides for the punishment of violators of the provisions on discrimination, and article 42, paragraph 1 (c), stipulates that a worker has the right to equal opportunities and treatment in recruitment and employment without any form of discrimination. Article 48, paragraph 1 (e), provides that no employment contract shall be terminated on the basis of direct or indirect discrimination in recruitment or occupation.

6. Portugal highlighted its adoption of a new anti-discrimination law (No. 93/2017), which entered into force on 1 September 2017 and established a legal framework for the prevention, prohibition and combat of discrimination on the basis of racial and ethnic origin, colour, nationality, descent and place of origin. The composition of the Commission for Equality and Against Racial Discrimination was also increased to 31 advisers, including a representative of the Roma communities and a representative from each parliamentary group of the Portuguese Parliament. The High Commission for Migration, through the Commission for Equality and Against Racial Discrimination, is responsible for all phases of the administrative offence procedure within its areas of competence, including the reception and analysis of complaints, instructions and decisions, as well as the coordination of actions to prevent, inspect and combat discriminatory practices. The law expanded the scope of intervention by the Commission for Equality and Against Racial Discrimination with a mandate to determine the fines and additional sanctions to be applied. In addition to the prohibition of discrimination on the basis of race, colour, nationality and ethnic origin, the law defined new forms of discrimination for the first time, including discrimination on the basis of descent and place of origin, multiple and intersecting forms of discrimination and discrimination by association (being related to and/or associating with a person or group of persons who possess the criteria being protected).

7. The text of the law also foresees the possibility for the parties in conflict to find a solution through a mediation procedure at their request or by indication from the Commission for Equality and Against Racial Discrimination, with the consent of the aggressor and of the victim or of his or her legal representatives. The new law also allows migrants' associations to represent the victim, providing a greater sense of security and protection. Therefore, with the new law, protections against discriminatory practices have been further developed and the composition of the Commission reinforced. The new law also enables the Commission to collect evidence in cases of racial discrimination and to handle the entire procedure from beginning to end, increasing its efficiency. In addition, the amount of the maximum fines has been raised.

National human rights institutions, plans of action, strategies and policies

8. Paragraphs 90 to 95 of the Durban Programme of Action urges States, as appropriate, to establish, strengthen, review and reinforce the effectiveness of independent national human rights institutions, particularly on issues of racism, racial

discrimination, xenophobia and related intolerance, in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and to provide them with adequate financial resources, competencies and capacities for investigation, research, education and public awareness activities to combat those phenomena.

9. Iraq referred to a number of policies it has implemented to promote social justice and combat racial discrimination in State institutions in the areas of employment and work performance and to attract talent and educational and professional expertise.

10. Italy reported that, on 7 August 2015, it approved the National Action Plan against Racism, Xenophobia and Intolerance, which has as its core objectives equal treatment and non-discrimination. The Plan considers, inter alia, the eradication of direct and indirect discrimination on the basis of race, colour, religion, descent or national ethnic origin to be of utmost importance. In addition, the Plan addresses the most serious aspects of multiple discrimination, including all instances of discrimination on several discrimin tory grounds, such as sex, racial or ethnic origin, religion or belief, disability, age, sexual orientation, gender identity or other characteristics, suffered by those who are perceived to have two or more of those characteristics.

11. The National Action Plan provides for several work streams related to employment, accommodation, education, health, public administration, law enforcement, sport, mass media and communication. For each area of intervention, the Plan invokes four distinct steps: (a) a preamble that defines the specific scope of fighting discrimination, taking into consideration the results of recent data analysis and investigations; (b) an outline of critical issues deemed to be of high priority; (c) the general objectives necessary to counter discrimination; and (d) the identification of remedial measures, positive actions and good practices to achieve the above-mentioned objectives.

12. The Republic of Moldova highlighted its national human rights policy for the period 2018–2022, which provides for many fields of intervention, such as the rights of persons belonging to national minorities, and includes measures to: (a) raise awareness among minority religious communities on their rights; (b) improve the mechanisms for the proper fulfilment of the State's obligations in ensuring the enjoyment of the right to freedom of conscience, thought and religion; and (c) strengthen the mechanisms for protection against discrimination. The policy also recommends interventions to address non-discrimination and equality, such as the establishment of a mechanism for collecting disaggregated data on bias-motivated offenses.

III. Education and awareness-raising measures aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance

13. Paragraph 58 of the Durban Programme of Action urges States to recognize, respect and maximize the benefits of diversity within and among all nations in working together to build a harmonious and productive future by putting into practice and promoting specific values and principles. Those principles include justice, equality and non-discrimination, democracy, fairness and friendship, tolerance and respect within and among communities and nations, in particular through public information and education programmes to raise awareness and understanding of the benefits of cultural diversity.

14. In that regard, Iraq noted that it integrates information on the rights of minorities into textbooks and curricula for students, including civic and social education, Islamic studies and instruction books on Arabic. The Government also uses media outreach through its Iraqi Education Channel and other media, creates posters in coordination with civil society and organizes workshops and meetings with civil society organizations concerned with minority rights.

15. Mexico launched several awareness-raising campaigns, such as the campaign entitled "XeNOphobia", which was developed by the National Council for the Prevention of Discrimination with the objective of changing perceptions on migrants and foreigners and eradicating the stigmas associated with them and the crimes committed against them. Another campaign focusing on migrants is entitled "We Are With You", which uses the slogan "Disinformation will no longer be a risk". That campaign is aimed at informing migrants about the support services to which they are entitled, raising awareness among public service officers and raising public awareness to promote a culture of respect, tolerance and non-discrimination towards migrants.

16. Portugal highlighted that various activities have been developed by the High Commission for Migration in combating racism and discrimination. The Internet campaign "Discover your colour!" includes a dedicated website and Facebook page. In four cities across the country in 2017, a number of initiatives were undertaken at public schools, including a play and discussions and reflections among the students about combating discrimination, as well as a collaboration between artists and children to paint murals. In 2018, the High Commission for Migration also promoted a national contest asking children and youth to produce written contributions on the subject.

IV. Awareness-raising and training for law enforcement officials and the judiciary

17. Paragraph 133 of the Durban Programme for Action urges States to develop and strengthen anti-racist and gender-sensitive human rights training for public officials, including personnel in the administration of justice, particularly in law enforcement, correctional and security services, as well as among health-care, school and migration authorities.

18. Brazil provided information on its training programme for swift mediation of conflicts, which was launched by the Ministry of Human Rights and the Ministry of Justice in March 2017. It consists of specific training for law enforcement officers, including civil and military police officers as well as the civilian guard, which provides guidance on how to deal with victims of racism and religious intolerance and how to support the work of police stations and specialized centres when dealing with crimes of racism and intolerance.

19. In order to expand access to the training programme, the Secretariat for Policies to Promote Racial Equality of the Ministry of Human Rights has been working in coordination with the National Secretariat of Public Security of the Ministry of Public Security to implement online training on cases of crimes of racism and religious intolerance. The purpose of the training is to help law enforcement officers better identify and register crimes of racism, racial injury and religious violence, in accordance with the national legal framework; provide mediation and resolve conflicts; and raise awareness about institutionalized forms of racism among law enforcement officers and the general population. As a result, 3,335 persons were trained and certified in 14 states.

20. Brazil further noted that the Ministry of Human Rights has encouraged the creation of specialized centres for crimes of racism and intolerance in several states and municipalities. The centres help promote support services for the victims of those crimes.

21. Cuba reported on the various training sessions it has held that target the police and military forces with a view to promoting a more inclusive society. The General Bureau of Fiscal Services of the Republic, the People's Supreme Court and the police academies organize yearly courses to prepare their agents on topics related to racial discrimination and human rights.

22. Italy reported that a series of directives has been issued with regard to public order. In particular, a directive of the Director General of Public Security and Chief of Police, dated 21 January 2009 (No. 555/op/490/2009/1/NC), provides guidance with a view to establishing new police ethics focused on transparency, tolerance and proportionality. Particular attention is given to the special training of police personnel with regard to ethical and cultural issues, communication skills and operational techniques. A training centre for protecting public order was established in December 2008 in Nettuno (near Rome), with a view to strengthening and promoting a new culture of public order oriented towards prevention and dialogue, and enhancing the professionalism of police personnel. Further training activities focusing on the unlawful use of force have been carried out for patrol units. In addition, the qualifying courses for border police provide a specific course on human rights and the main international mechanisms to protect fundamental human rights.

23. With regard to targeted training to counter discrimination in all its forms, the National Office against Racial Discrimination of Italy has signed a memorandum of understanding with the national Observatory for Security against Acts of Discrimination[1] to share substantiated reports of hate-related crimes. According to the memorandum, the National Office forwards to the Observatory any case of discrimination liable for prosecution reported to its contact centre, and in turn the Observatory sends to the National Office any report it has received that is not liable for prosecution. Both agencies, in partnership with civil society, have launched a vast programme to prevent and combat discrimination and to increase the awareness of law enforcement regarding all the provisions prohibiting racism and racial discrimination. Since 2012, almost 9,500 officers have been trained.

24. Kuwait reported that it had organized training courses for the members of the judiciary. The Kuwait Institute for Judicial and Legal Studies, in collaboration with OHCHR, provided training courses for jurists in the field of human rights, enhancing their knowledge about international human rights and promoting its values and principles. In addition, in 2017 and 2018, the Institute taught courses on human rights to legal researchers who were candidates for promotion to the Office of the Public Prosecutor.

25. Mexico reported that the National Council for the Prevention of Discrimination has been designated as a national body to provide orientation, education and training and to raise awareness and prepare and train public servants in non-discrimination. The Council created a website called *Conéctate*, which is intended to raise awareness on the right to equality and non-discrimination and help civil servants and various stakeholders identify, prevent and eliminate discriminatory practices that can occur in their work, social or family environment. The website offers courses on equality and non-discrimination, tolerance and diversity of faiths, migration and xenophobia,

[1] In 2017 and 2018, the Observatory provided training to Italian police officers on preventing and countering discrimination in all its forms with the support of police officers, the Department for Equal Opportunities, Amnesty International, the non-profit organization Cooperation for the Development of Emerging Countries (COSPE) and Rete Lenford (the Lenford Network).

measures of equality in the framework of the Federal Law to Prevent and Eliminate Discrimination and the right to equality and non-discrimination of the African-Mexican population, among others.

V. Promotion of multiculturalism, interculturalism and integration

26. Paragraph 30 (c) of the Durban Programme of Action urges States to implement specific measures involving the host community and migrants in order to encourage respect for cultural diversity, promote the fair treatment of migrants and develop programmes, where appropriate, that facilitate their integration into social, cultural, political and economic life.

27. In Azerbaijan, the Baku International Multiculturalism Centre was established in 2014 to carry out studies, raise public awareness and work with different communities and society at large through various projects in areas of intercultural and intercommunity dialogue, peaceful coexistence, tolerance and non-discrimination.

28. In Italy, at the parliamentary level, a committee on hate, intolerance, xenophobia and racism (the Jo Cox Committee) was set up in May 2016. The Committee adopted its final report at its session of 6 July 2017. The report contained 56 recommendations for preventing and combating hatred. The recommendations were addressed to all relevant entities, including the Government of Italy, regulatory and supervisory authorities, institutions of the European Union, international organizations, the media, press associations and journalist unions, non-governmental organizations and other stakeholders.

29. Portugal reported that, in 2017, 101 awareness-raising sessions were conducted on the topics of interculturalism and migration. Some 2,000 participants attended the sessions, which were hosted by schools, municipalities, social security services and immigrant associations. Portugal also noted the existence of a training network established in 2006 as a resource to all entities that intend to organize training sessions in the area of interculturalism at the national level.

30. Portugal also noted that the High Commission for Migration, to combat racism and discrimination, has invested in the promotion of interculturality in Portuguese society, which includes valuing cultural and religious diversity and promoting mutual understanding and positive interaction among citizens, groups and public service professionals. It also includes the promotion of diversity in private and public organizations (in accordance with the Portuguese Diversity Charter) by the Intercultural Dialogue Unit.

31. The United Kingdom reported that it will invest £50 million (more than 63 million United States dollars) in integration over the next two years to support the priorities set out in the Integrated Communities Strategy Green Paper. Action will be taken to help build integrated communities by strengthening leadership, supporting recent migrants and resident communities, boosting support for English language instruction and encouraging shared community activities and spaces. Efforts will also be made to increase the economic opportunities for communities that are underrepresented in the job market, empower women, tackle hate crime and hate speech online, support communities of faith and encourage interfaith dialogue to break down barriers that fuel intolerance and unequal treatment.

VI. Monitoring activities

32. Brazil noted that the Secretariat for Policies to Promote Racial Equality is working with the Observatory for Human Rights of the Federal Intervention in the Public Security of the State of Rio de Janeiro (ObservaRIO), which was created by the Ministry of Human Rights in February 2018. The Secretariat has developed a methodology for ObservaRIO that focuses on the fulfilment of the needs of the general population and in particular the Black population. The initial actions implemented include follow-up to and enhancement of the work of various social stakeholders in historically marginalized communities, acknowledgement of the presence and history of the people living in those communities, coordination between several authorities and institutions with a view to safeguarding rights and supporting the implementation of affirmative action and the promotion of the principles of education for diversity and citizenship rights.

33. Italy underlined that the monitoring activity and analysis of discrimination is ongoing and is carried out by collecting reports on discrimination disaggregated by race, ethnicity, age, disability, religion, gender identity and sexual orientation through the various available channels, including the "Green Line" telephone number, institutional emails, websites and the network of the National Office against Racial Discrimination. In particular, 3,655 cases were processed by the National Office in 2017, 3,334 of which were discrimination cases. A steady increase in the number of cases processed has become noticeable over the past few years: 3,655 cases were processed in 2017, compared with 2,235 in 2015 and 1,627 in 2014. That confirms the need for the role played by the National Office, which, together with its contact centre, offers professional and qualified listening services as well as the ability to easily and quickly make reports online. Those efforts have contributed to addressing the phenomenon of underreporting.

34. Also in Italy, the National Office against Racial Discrimination has been actively involved in dealing with online hate speech through the activity of the Observatory on Media and the Internet. By extending the monitoring provided for traditional media, the National Office aims to research, monitor and analyse on a daily basis any potentially discriminatory content coming from social networks such as Facebook, Twitter, GooglePlus and YouTube. Through the use of specific software and a set of keywords, it will also monitor social media articles, blogs and forum comments. The National Office has also contributed to the monitoring exercise to assess the Code of Conduct on Countering Illegal Hate Speech Online developed by the European Commission, which designated the National Office as a "trusted flagger" at an institutional level. In that capacity, during the National Office's third monitoring exercise, carried out from 6 November to 15 December 2017, Italy sent 269 reports to Facebook, Twitter and YouTube asking for the removal of illegal content online that amounted to hate speech.

VII. Promotion of cultural diversity and the rights of people of African descent

35. Paragraph 4 of the Durban Programme for Action urges States to facilitate the participation of people of African descent in all political, economic, social and cultural aspects of society and in the advancement and economic development of their countries, and to promote a greater knowledge of and respect for their heritage and culture.

36. Cuba reported that it has developed multiple programmes focusing on racial problems, which have led to interconnected work between State institutions and civil

society organizations with a view to increasing the visibility of the rich African heritage of the country through various media outlets, education programmes, publications and social media sites. Cuba noted that the Central Committee of the Communist Party coordinates a national group composed of members of the scientific and cultural communities, as well as experts in marketing, that proposes measures to fight racism. Among its proposals, the group encouraged increased consciousness of racial diversity in Cuba, an analysis of the role Black and mixed race populations have played in Cuban history, investigations into social history and the study of the concept of racial discrimination.

37. Cuba further noted that the José Antonio Aponte Commission of the Unión de Escritores y Artistas de Cuba actively works on issues related to slavery and the slave trade and their impact on Cuban culture and identity, as well as their social effects, in an attempt to address the ideologies of racism and any of their manifestations, including social exclusion.

38. Guatemala reported that the "Central American encounter on comparative experiences of the implementation of the International Decade for People of African Descent: progress, challenges and obstacles" was launched on 26 October 2017, with the participation of delegates from Costa Rica, El Salvador, Guatemala, Honduras and Panama, in order to promote a space for dialogue and analysis of the comparative experiences in the Central American region.

39. Guatemala also noted that, within the framework of the International Decade for People of African Descent, the country will launch an exhibition of photographs that includes contributions from people of African descent and Garifuna communities. The objective is to present photographs that emphasize how people of African descent and Garifuna communities have contributed to the development of Guatemala.

40. Guatemala also emphasized the urgent need to make people of African descent visible, identify their problems and needs, give them due recognition and grant them a leading role in the decisions related to their own development. In order to determine the number of people of African descent living in Guatemala and to contribute to the aspirations of the 2030 Agenda for Sustainable Development to "leave no one behind", an option has been incorporated into the census ballot framework of the next population and housing census that reads "people of African descent/Creole/ Afro-mestizo". That process was conducted in consultation with civil society organizations and with the support of the United Nations Population Fund and OHCHR.

41. Mexico launched a campaign called "I am African! Recognize and Count Me" within the framework of the 2015 census of the National Institute of Statistics and Geography. The census included a question on whether respondents self-identified as being of African or African-Mexican descent. That allowed census-takers to collect increased knowledge about that group, which should increase their visibility and participation in public policies.

42. Portugal noted that, with a view to celebrating the World Day for Cultural Diversity for Dialogue and Development on 21 May, in 2018 the High Commission for Migration called for the submission of scientific articles for publication in an upcoming issue of the High Commission's *Migration Magazine* devoted to people of African descent in Portugal. The edition of the magazine intends to mark the International Decade for People of African Descent. The articles are to be submitted on the following topics: "people of African descent: concept, categories and analytical dimensions"; "people of African descent in history"; "people of African descent in Portugal and the present situation: what we know and what we do not know"; "challenges with racial and ethnic categories and statistical dilemmas"; "people of African descent and integration in schools"; "people of African descent and

integration in the labour market"; "people of African descent, housing and life conditions"; "people of African descent and health"; "people of African descent, political rights and integration in politics"; "people of African descent in the legal framework and human rights"; "people of African descent, criminality and justice"; "people of African descent, racism and racial and ethnic discrimination"; "people of African descent and gender issues"; and "people of African descent in the media and social perceptions". A prize of €2,000 will be awarded to the best scientific article, and the 10 best scientific articles will be published in a special volume of *Migration Magazine* in 2018.

43. Uruguay highlighted its law (No. 19122) that expressly recognized the historical discrimination suffered by the population of African descent in the country. To improve the enjoyment of all human rights of people of African descent, the law established affirmative action programmes in the educational and employment fields to encourage racial equality.

44. Uruguay also noted that, in April 2018, an agreement was signed between the City Council of Montevideo and the Ministry of Social Development that created a technical working group to advise and monitor compliance with the law and develop training courses for officials. That initiative will be replicated in various governmental departments across the country.

45. Within the framework of the International Decade for People of African Descent, Uruguay recognizes July as the month of African descent. Throughout the entire month a series of activities across the country are held in which several State agencies and civil society organizations call upon the general public to mobilize and become aware of the issues surrounding discrimination against people of African descent.

VIII. Protection of migrants, refugees and asylum seekers against racism, racial discrimination, xenophobia and related intolerance

46. Paragraphs 24 to 36 of the Durban Programme of Action address the need to protect migrants, refugees and asylum seekers against racism, racial discrimination, xenophobia and related intolerance.

47. Azerbaijan reported that foreigners and stateless persons within its territorial jurisdiction enjoy the same rights as citizens. Foreigners and stateless persons are afforded legal protection by the Constitution of Azerbaijan and other complimentary legislation, and refugees enjoy the protection of non-refoulement. In addition, migrants can apply for urgent or special aid without any limitation or discrimination, and are eligible to receive work pensions.

48. Ireland reports that it is currently operationalizing a comprehensive migrant integration strategy, which it launched in February 2017 as a whole-of-Government strategy. The strategy aims to ensure the vision of an Ireland where migrants are able to play a full role in Irish society, integration is a core principle of Irish life and Irish society and institutions work together to promote integration and combat intolerance, negative stereotyping and stigmatization based on ethnic or religious discrimination or intolerance. The strategy will be implemented over the coming years through a series of initiatives across all branches of Government. It includes a number of actions to promote intercultural awareness and to combat racism and xenophobia. It also includes an action to review the current legislation on racially motivated crime with a view to strengthening the law. The strategy is also intended to address the issue of underreporting of racially motivated crime. The Irish Government has committed

significant resources to language training and skill-enhancing programmes to help integrate people into society. Through open funding proposals, close to €10 million (more than 11 million United States dollars) has been granted to 40 national and 130 regional projects to support integration during the next three to four years with funding from both the European Union and the Irish Government. The majority of the projects are led by community and voluntary organizations that are implementing a range of activities, including projects that have a language focus to support the integration of migrants.

49. In 2014, the Government of Portugal decided to expand its action plans, which had formerly been focused only on the integration of immigrants, to define a national strategy for migration flows, including measures that focused not only on immigrants but also on asylum seekers and refugees. The Strategic Plan for Migration 2015–2020 includes methods to address the integration of immigrants and naturalized citizens, the coordination of migration flows and the strengthening of legal migration channels and the quality of migration services, and address the need for greater monitoring and support to Portuguese citizens who have emigrated to other countries. Regarding other legislative developments, Portugal highlighted the adoption of a new anti-discrimination law (No. 93/2017), which entered into force on 1 September 2017. The law establishes the legal framework for the prevention, prohibition and combat of discrimination on the basis of racial and ethnic origin, colour, nationality, descent and place of origin.

50. With regard to migrant women in Portugal, the Strategic Plan for Migration adopts concrete measures for the promotion of equality between migrant women and men and for the reinforcement of the independence and the professional and civic integration of migrant women in Portuguese society. Recognizing the importance of mainstreaming gender equality in the area of migration, the High Commission for Migration is committed to improving the lives of migrant women, including refugee women. Presently, Portugal is working on an internal assessment on how to better respond to the needs of those women in cooperation with relevant stakeholders, namely public authorities and non-governmental organizations.

51. Mexico reported that the National Council for the Prevention of Discrimination, in collaboration with the Undersecretary for Population, Migration and Religious Affairs of the Ministry of the Interior and the National Institute of Migration, prepared a guide to prevent racial profiling. The objective of the guide is to help federal immigration agents avoid profiling practices in their daily work. In addition, the guide also serves as a training and awareness-raising tool for public service personnel who belong to auxiliary authorities involved in migration matters. The guide includes a definition of racial profiling and the applicable international, regional and national frameworks against discrimination and racial profiling. It also addresses the causes, consequences, illegality and inefficiency of racial profiling practices. Finally, it establishes admissible and non-admissible criteria for the use of physical or ethnic characteristics in acts of revision, verification and migration control.

52. Turkey reported that its Directorate General of Migration Management, with a view to facilitating the integration and inclusion of foreigners into Turkish society, supports various multidimensional activities that aim to help them contribute economically, socially and culturally to the host society. Efforts are undertaken under the principles of voluntariness and harmonization, and foreigners are not subjected to examinations in relation to those activities.

53. The United Kingdom reported that the rights of migrant workers are protected in domestic legislation, including under the Human Rights Act 1998 and the Equality Act 2010. Furthermore, migrants who are legally working in the United Kingdom enjoy full protection under the country's employment law. Migrant workers are also

entitled to the same protections under health and safety legislation as any other worker. The country has a range of means-tested, tax-funded cash benefits. In most cases, claimants must be habitually resident in the United Kingdom to qualify. Benefits include maintenance income, an income-based jobseeker's allowance, an income-related employment and support allowance, income support, a working tax credit and housing benefits. Refugees have access to those benefits, as do certain other non-nationals if they are lawfully in the country and their immigration status allows it. Asylum seekers who are destitute are provided with accommodation and a basic living allowance. They also receive free medical care and their children have access to State education. Asylum seekers whose claims have been rejected are provided with similar support if they are temporarily prevented from leaving the country. Other irregular migrants may receive support from local authorities in limited circumstances, most often in situations where that is necessary to safeguard the welfare of their children.

IX. Contributions of the Durban follow-up mechanisms and the Office of the United Nations High Commissioner for Human Rights

54. The Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action held its fifteenth session in Geneva from 9 to 20 October 2017 and submitted its report (A/HRC/37/77) to the Human Rights Council at its thirty-seventh session. The Working Group exchanged and discussed good practices on measures undertaken to promote societies that are more inclusive, such as training and awareness-raising activities for law enforcement and the judiciary, the monitoring and investigation of incidents of hate speech and hate crime and the protection of migrants and refugees against racism, racial discrimination, xenophobia and related intolerance. OHCHR organized and provided services to the sessions of the Durban follow-up mechanisms.

55. In 2017, the General Assembly, in its resolution 72/157, and the Human Rights Council, in its resolution 34/36, requested that the Chairperson-Rapporteur of the Ad Hoc Committee on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination commence, at the tenth session of the Ad Hoc Committee, negotiations on a draft additional protocol to the Convention criminalizing acts of a racist and xenophobic nature. The tenth session of the Ad Hoc Committee is scheduled to take place from 8 to 19 October 2018. While criminalization could be an important response to contemporary issues of racial discrimination, a parallel approach that builds on the preceding work of the Ad Hoc Committee over the past several years could also be considered with regard to topics such as addressing procedural gaps and enhancing national protection mechanisms, education and awareness-raising activities, among others. The work of the Ad Hoc Committee is not merely to agree on new standards, but also to think of ways to strengthen the protection of all persons from the scourges of racism, racial discrimination, xenophobia and related intolerance, as articulated in the Durban Programme of Action.

56. The Working Group of Experts on People of African Descent submitted its annual report (A/HRC/36/60) to the Human Rights Council at its thirty-sixth session, including reports on its country visits to Canada (A/HRC/36/60/Add.1) and Germany (A/HRC/36/60/Add.2), and engaged in a constructive dialogue with Member States. The Working Group also submitted its annual report (A/72/319) to the General Assembly at its seventy-second session and participated in an interactive dialogue with the Third Committee. The Working Group conducted country visits to Guyana

(2–6 October 2017) and Spain (19–26 February 2018). In accordance with its mandate, the Working Group also issued communications regarding allegations of human rights violations. The Working Group has established the International Decade for People of African Descent as a standing agenda item for discussion in its public session in order to further raise understanding and awareness on the need to implement the International Decade. On 25 and 26 November 2017, the Working Group also organized a meeting in Geneva on addressing racial stereotypes of people of African descent.

57. With regard to the Group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, the Secretary-General appointed two new independent eminent experts in May 2018: Ibrahim Agboola Gambari, a professor, scholar and diplomat from Nigeria, who is also the founder and Chair of the Board of Directors of the Savannah Centre for Diplomacy, Democracy and Development; and Saied A. Ashshowwaf, a professor from Saudi Arabia who has been a member of the Human Rights Council of Saudi Arabia since 2011.

58. Regarding the implementation of a programme of activities for the International Decade for People of African Descent, OHCHR organized a regional meeting in Geneva, in November 2017, to reflect on ways and means that Governments from Europe, Central Asia and North America could integrate the provisions of the programme into their own policies, programmes and strategies, in partnership with national human rights institutions, civil society, development agencies and regional organizations.

59. OHCHR continues to organize the fellowship programme for people of African descent, which provides participants with an intensive learning opportunity to deepen their understanding of the United Nations human rights system, instruments and mechanisms, with a focus on issues of particular relevance to people of African descent. Since the programme began in 2011, 49 fellows from 26 countries have participated. Building on the programme, several fellows subsequently have carried out human rights awareness and capacity-building initiatives at the national level, including training programmes for civil society representatives and organizations, working to promote the rights of people of African descent. In 2017, 12 fellows from Australia, Brazil, Canada, Colombia, Guyana, Italy, the Netherlands, the United Kingdom, the United States of America and the Bolivarian Republic of Venezuela participated in the fellowship programme.

60. As part of its capacity development activities, OHCHR launched a pilot project in 2017 entitled "Better Ways", which endeavours to identify and promote practical measures that enhance evidence-based policing and reduce incidents of bias-based policing. Within the framework of that project, the Office organized the first expert meeting in Geneva from 14 to 15 June 2017. The meeting on law enforcement and bias-based policing was attended by 20 experts from 17 countries; the majority were police officers, including senior officials. They discussed various issues related to bias-based policing, such as the impact of unconscious biases, human rights norms and good practices with regard to institutional measures and training.

61. With regard to capacity-building for national human rights institutions and entities working for equality, and following previous regional meetings with such institutions in countries in Central Africa and the Middle East and North Africa, OHCHR organized a workshop in 2017 for national human rights institutions and entities working for equality in East Africa and Southern Africa to build their capacity to address issues related to racism, racial discrimination, xenophobia and related intolerance.

62. With regard to the issue of human trafficking, OHCHR assisted in building the capacity of Member States to ensure that their laws, policies and administrative

regulations comply with international human rights standards in the area of human trafficking. Over the past decade, the Office has assisted countries in Central Europe, the Middle East and North Africa with integrating human rights into their responses to trafficking, including the trafficking of migrants. In several countries in Africa, the Office has helped organize workshops and training sessions to educate border control officers about international and regional human rights instruments regarding people on the move, and strengthen their capacities to protect and identify human rights violations. More recently, the Office has supported civil aviation authorities and airlines on their role in identifying trafficking victims, in particular through the development of a joint document by the International Civil Aviation Organization (ICAO) and OHCHR that provides guidance for cabin crew regarding the identification of and response to victims of trafficking. The project also included the development of an awareness-raising message to be broadcast in airplanes. The guidelines were launched in Geneva on 28 May 2018 during the first ICAO-OHCHR Joint Forum on Combating Trafficking in Persons in Aviation. OHCHR, in collaboration with the World Health Organization and the United Nations Office on Drugs and Crime, is currently developing international guidelines on health, criminal and human rights aspects relating to trafficking in persons for the purpose of organ removal and trafficking in human organs.

63. OHCHR has undertaken efforts to combat racism in and through sport during the past three years by cooperating with a number of Russian and international stakeholders to ensure the application of non-discrimination policies in the preparations for the Fédération Internationale de Football Association (FIFA) World Cup tournament held in 2018. OHCHR is currently cooperating with Russian partners to finalize a "non-discrimination legacy" for the FIFA World Cup tournament that could provide a unique opportunity to showcase good practices among organizers of major sporting events.

64. OHCHR works on the various dimensions related to religious intolerance, including discrimination, xenophobia, migration, freedom of religion or belief, religious profiling and incitement to racial, national or religious hatred. It undertakes activities in support of the calls for action contained in paragraphs 7 to 9 of General Assembly resolution 71/195 on combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief. Upon request, OHCHR has supported several countries and specialized bodies in the development of national action plans against racism. OHCHR also manages a database on issues related to racism and discrimination and has developed guidelines and training manuals for judges and law enforcement personnel on the actions recommended in the resolution. A number of activities have taken place in that regard, including in Lebanon, Morocco, Oman, Senegal and Tunisia. In relation to the role of the media in countering hate speech and xenophobia, activities have taken place in the Russian Federation and Ukraine and in West Africa. In Rabat, on 6 and 7 December 2017, the Rabat+5 Symposium on the follow-up to the Rabat Plan of Action offered an opportunity for various stakeholders to engage with experts on the elaboration of the Rabat Plan of Action and the Beirut Declaration on Faith for Rights and its 18 commitments, and to exchange experiences in the area of combating violence in the name of religion.

X. Conclusions and recommendations

65. **Member States have made progress in combating racism, racial discrimination, xenophobia and related intolerance. As outlined in the present report, a variety of measures have been adopted that provide encouragement. However, stronger political will and more concerted action are needed to reverse**

the negative trends of racist and xenophobic attitudes and violence that continue to persist. The promotion of interculturality, dialogue, tolerance and respect for diversity are essential to combating racism, racial discrimination, xenophobia and related intolerance.

66. Ultimately, progress in the global fight against racism, racial discrimination, xenophobia and related intolerance will be won only if all relevant stakeholders intensify their efforts and take relevant measures in that regard. Examples of such measures include the adoption of strong legal frameworks in conformity with international standards; the creation or strengthening, as appropriate, of national human rights mechanisms, in line with the Paris Principles, that play protection, promotion and monitoring roles; the combating of impunity for racist acts; the fostering of the roles played by political parties, civil society actors and the private sector in combating racism, racial discrimination, xenophobia and related intolerance; and, in the case of migrants and refugees, the granting of protection according to international law, including international refugee law and international human rights law, in particular from all forms of discrimination.

67. In that connection, Member States are reminded of the validity of the political declaration adopted by consensus during the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action on 22 September 2011, which, together with the outcome document of the Durban Review Conference, forms a solid basis for action to pursue the total elimination of racism, racial discrimination, xenophobia and related intolerance. Member States, regional organizations, civil society and other stakeholders are therefore encouraged to fully and effectively implement the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference.

68. In addition, Member States are encouraged to fully and effectively implement their obligations arising under international law, particularly the non-discrimination clauses in the Charter of the United Nations, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. Those States that have not yet done so are urged to ratify or accede to the Covenants and the Convention.

69. To enhance access to justice and remedies, Member States that have not yet done so are encouraged to make a declaration under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination on the recognition of the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation.

70. Member States are encouraged to cooperate with the relevant human rights mechanisms, in particular the Working Group of Experts on People of African Descent and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, including by extending to them invitations to carry out country visits and implementing the thematic and country-based recommendations of those mechanisms.

71. Member States and other stakeholders are invited to actively participate in the deliberations of the mechanisms established to follow up the Durban Declaration and Programme of Action and implement the recommendations emanating therefrom.

72. Member States that have not yet done so are encouraged to develop and implement national action plans to combat racism, racial discrimination, xenophobia and related intolerance.

73. International and regional organizations are encouraged to intensify collaboration in fighting racism, racial discrimination, xenophobia and related intolerance.

74. In line with the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference, Member States are encouraged to establish or strengthen, as appropriate, and equip specialized bodies and mechanisms for the implementation of public policies to eradicate racism, racial discrimination, xenophobia and related intolerance and promote racial equality with suitable financial resources, capabilities and capacities to survey, investigate, educate and undertake public awareness-raising activities.

75. Member States are encouraged to take all appropriate measures, in accordance with domestic legislation and international obligations, to prevent, combat and address all manifestations of racism, racial discrimination, xenophobia and related intolerance in the context of sporting events, and to ensure that racially motivated acts are properly addressed.

76. Host countries of major sporting events are encouraged to seize the opportunity to develop awareness-raising and education campaigns aimed at sensitizing the public on the eradication of racism, racial discrimination, xenophobia and related intolerance.

77. Member States receiving migrants, including refugees, should ensure effective protection, respect and fulfilment of their human rights according to international law. Specifically, States should protect migrants from all forms of discrimination, including those who are most excluded and vulnerable to harm, such as migrants in irregular situations. States should embed equality and non-discrimination principles in migration law, policy and enforcement. States' implementation of the Global Compact for Safe, Orderly and Regular Migration should be geared towards upholding the principle of non-discrimination, and be in line with the commitment to eliminate all forms of discrimination, including racism, xenophobia and related intolerance against migrants.

78. Member States should repeal or amend all laws or measures that may give rise to discrimination against migrants, including direct and indirect discrimination and discrimination based on multiple grounds, and condemn and take effective measures against all acts and expressions of racism, racial discrimination, xenophobia and related intolerance against migrants.

79. In order to review progress with regard to the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference, all stakeholders are invited to regularly submit updated inputs, in accordance with requests for information from OHCHR.

80. Finally, with a view to ensuring the fullest implementation of the programme of activities of the International Decade for People of African Descent, under the responsibility of OHCHR, all Member States, intergovernmental and non-governmental organizations, private institutions and individuals in a position to do so are encouraged to contribute generously to the programme.